

ORDINANCE 121215

AN ORDINANCE relating to historic preservation, imposing controls upon the Rosen House, a Landmark designated by the Landmarks Preservation Board under Chapter 25.12 of the Seattle Municipal Code, and adding it to the Table of Historical Landmarks contained in Chapter 25.32 of the Seattle Municipal Code.

WHEREAS, the Landmarks Ordinance, Chapter 25.12 of the Seattle Municipal Code (SMC), establishes a procedure for the designation and preservation of structures and areas having historical, cultural, architectural, engineering or geographic importance; and

WHEREAS, the Landmarks Preservation Board, after a public meeting on March 7, 2001, voted to approve the nomination of the Rosen House at 9017 Loyal Avenue Northwest, in Seattle as a Landmark under SMC Chapter 25.12; and

WHEREAS, after a public meeting on April 18, 2001, the Board voted to approve the designation of the Rosen House and the site as a Landmark under SMC Chapter 25.12; and

WHEREAS, on August 29, 2001, the Board and the owners of the designated property agreed to controls and incentives; and

WHEREAS, the Board recommends to the City Council approval of controls and incentives;
NOW, THEREFORE,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. Designation: The designation by the Landmarks Preservation Board of the Rosen House, and its site described as:

Loyal Heights addition, Block 5, Lots 11, 12, 13, & 14;

as a Landmark based upon satisfaction of the following standards of SMC Section 25.12.350:

D. It embodies the distinctive visible characteristics of an architectural style or period, or of a method of construction;

is hereby acknowledged.

Section 2. CONTROLS: The following controls are hereby imposed on the features and characteristics of the Rosen House and its site that were designated by the Board for preservation:

A. CERTIFICATE OF APPROVAL PROCESS

1. A Certificate of Approval, issued by the City of Seattle's Landmarks Preservation Board pursuant to Seattle Municipal Code, 25.12, must be obtained, or the time for denying a Certificate of Approval application must have expired, before the owner may make alterations or significant changes to:

The site; the exterior of the building; the following features of the interior: the stairway from the north entrance up to the second floor; the living room loft area; and, the first floor interior excluding the following: the bathroom, the kitchen, and recreation room in the 1947 addition, the dining room ceiling light fixture and mirrors, and bookcases and light fixture in the downstairs den, and all interior window coverings.

2. A Certificate of Approval is not required for the following:

a. Any in-kind maintenance or repairs of the features listed in subsection 1, including but not limited to in-kind refinishing of interior wood paneling, trim and wood floors, however, painting of the wood paneling, trim and wood floors is not considered in-kind repair;

b. Removal of tennis court on south lawn and replacement with lawn and/or other plantings;

c. Minor landscaping including the removal/addition of trees under 6 inches caliper, shrubs, perennials and annuals.

B. ADMINISTRATIVE REVIEW

1. Administrative review and approval may be provided for the items listed in subsection 3 according to the following procedures. The Owner shall submit to the City Historic Preservation Officer (CHPO) a written request for these alterations, including applicable drawings and/or specifications. If the CHPO, upon examination of submitted plans and specifications, determines that such alterations are consistent with the purposes of SMC 25.12 the alterations shall be approved without the need for any further action by the Board. If the CHPO disapproves such alterations, the Owner may submit revised materials to the CHPO, or submit in accordance with the Certificate of Approval process set forth in SMC 25.12.

2. The CHPO shall submit his or her written decisions on the Owner's submittal to the Owner. Failure of the CHPO to approve or disapprove the request shall constitute approval of the request.

3. Administrative review is available for the following:

For the designated areas of the building, the addition or elimination of duct conduits, HVAC vents, grilles, fire escapes, pipes, and other similar wiring or mechanical elements necessary for the normal operation of the buildings.

Section 3. INCENTIVES

A. Seattle Municipal Code Title 23 provides for authorization of uses in a designated Landmark that are not normally permitted in a particular zoning classification by means of an administrative conditional use.

B. The Building and Energy Codes provide exceptions on an application basis.

C. Historic Preservation Special Tax Valuation (Chapter 84.26 RCW) is available to Seattle landmarks subject to controls imposed by designation ordinance by application.

Section 4. Enforcement of this Ordinance and penalties for its violation shall be as provided in SMC 25.12.910.

Section 5. The Rosen House and the site are hereby added to the Table of Historical Landmarks contained in SMC Chapter 25.32.

Section 6. The City Clerk is directed to record this ordinance with the King County Director of Records and Elections, deliver two copies to the City Historic Preservation Officer, and deliver one copy to the Director of the Department of Design, Construction and Land Use.

Section 7. This ordinance shall take effect and be in force thirty (30) days from and after its approval by the Mayor, but if not approved and returned by the Mayor within ten (10) days after presentation, it shall take effect as provided by Municipal Code Section 1.04.020.

Passed by the City Council the 14th day of July, 2003, and signed by me in open session in authentication of its passage this 14th day of July, 2003.

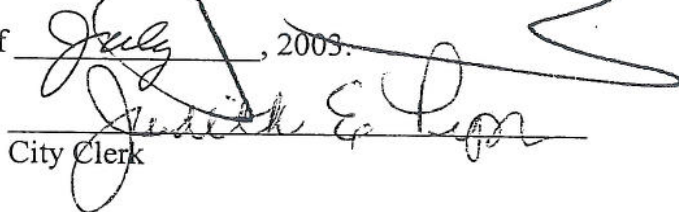


President _____ of the City Council

Approved by me this 21 day of July, 2003


Gregory I. Nickels, Mayor

Filed by me this 22 day of July, 2003.


City Clerk

(SEAL)

FISCAL NOTE FOR NON-CAPITAL PROJECTS

Department:	Contact Person/Phone:	DOF Analyst/Phone:
Dept. of Neighborhoods	Elizabeth Chave 684-0380	Sara Levin 684-8691

Legislation Title:

AN ORDINANCE relating to historic preservation, imposing controls upon the Rosen House, a Landmark designated by the Landmarks Preservation Board under Chapter 25.12 of the Seattle Municipal Code, and adding it to the Table of Historical Landmarks contained in Chapter 25.32 of the Seattle Municipal Code.

• **Summary of the Legislation:**

The attached ordinance acknowledges the designation of the Rosen House as an historic landmark based upon a determination by the Landmarks Preservation Board; imposes controls on the features of the building and site and adds the building and site to the Table of Historical Landmarks contained in SMC Chapter 25.32. The ordinance does not have a financial impact.

• **Background:**

The Rosen House is a single-family house in the Sunset Hill/Golden Gardens area of Seattle designated as an historic landmark by the Landmarks Preservation Board. The nomination was prepared and submitted by the property owners, Carol Neiman and Laurie Rosen-Platt.

A Controls and Incentives Agreement has been signed by the owners and has been approved by the Landmarks Preservation Board. Included in the landmark controls are the site, the exterior of the building, and portions of the the interior. Excluded from the controls are removal of the tennis courts, minor landscaping, and most of the interior rooms.

• *Please check one of the following:*

 x **This legislation does not have any financial implications.**



City of Seattle

Gregory J. Nickels, Mayor

Office of the Mayor

June 2, 2003

Honorable Peter Steinbrueck
President
Seattle City Council
Municipal Building, 11th Floor

Dear Council President Steinbrueck:

The attached ordinance acknowledges the designation of the Rosen House as an historic landmark and adds it to the Table of Historical Landmarks contained in Chapter 25.32 of the Seattle Municipal Code.

The Rosen House is a single-family house in the Sunset Hill/Golden Gardens area of Seattle designated as an historic landmark by the Landmarks Preservation Board. The nomination was prepared and submitted by the property owners, Carol Neiman and Laurie Rosen-Platt.

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Thank you for your consideration of this legislation. Should you have questions, please contact Elizabeth Chave in the Department of Neighborhoods at 684-0380.

Sincerely,

A handwritten signature in black ink, appearing to read 'Greg Nickels', written over a large, stylized, handwritten 'R'.

GREG NICKELS
Mayor of Seattle

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CITY OF SEATTLE

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CITY CLERK